

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FILED

OCT 20 2017

CLERK, U.S. DISTRICT COURT

By

Deputy

UNITED STATES OF AMERICA

v.

No. 4:17-CR-178-A

JAMES ROBERT ZERBE (2)

FACTUAL RESUME

INDICTMENT: Count Two: Conspiracy to Possess a Controlled Substance with intent to Distribute (methamphetamine)  
(in violation of 21 U.S.C. §§ 846; 841(a)(1) and (b)(1)(C))

PLEA: Count Two: Conspiracy to Possess a Controlled Substance with intent to Distribute (methamphetamine)  
(in violation of 21 U.S.C. §§ 846; 841(a)(1) and (b)(1)(C))

MAXIMUM PENALTY:

\$1,000,000 fine and not more than twenty (20) years imprisonment, plus a term of supervised release of not less than 3 years. If the defendant violates any condition of supervised release, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement. Further the Court must impose a Mandatory Special Assessment of \$100.00.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to establish the offense charged in the Indictment are as follows:

First: That two or more persons, directly or indirectly, reached an agreement to distribute or possess with intent to distribute a controlled substance, as charged in the indictment;

Second: That the defendant knew of the unlawful purpose of the agreement;

Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and

Fourth: That the overall scope of the conspiracy involved a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

STIPULATED FACTS:

On August 24, 2017, officers of the Bedford Police Department approached James Robert Zerbe's vehicle in a Walmart parking lot and observed a bag containing 43.3 grams of methamphetamine in plain view. Zerbe admits that he and others possessed the methamphetamine with the intent to distribute it.

SIGNED this 11TH day of October, 2017.

  
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JAMES ROBERT ZERBE  
Defendant

*No MORE THAN*  
  
\_\_\_\_\_  
MARK R. DANIELSON  
Counsel for Defendant